

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

IN RE CAUSTIC SODA ANTITRUST LITIGATION	ORAL ARGUMENT REQUESTED Lead Case No. 1:19-cv-00385-EAW-MJR
THIS DOCUMENT RELATES TO: ALL ACTIONS	

**NOTICE OF DEFENDANT FORMOSA PLASTICS CORPORATION'S
RENEWED MOTION TO DISMISS PLAINTIFFS' CONSOLIDATED CLASS ACTION
COMPLAINTS FOR LACK OF PERSONAL JURISDICTION
OR, IN THE ALTERNATIVE, FOR FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that Defendant Formosa Plastics Corporation (“FPC”), by its attorneys, hereby moves this Court for an Order: (i) dismissing Direct Purchaser Plaintiffs’ Consolidated Class Action Complaint (Dkt. 51) in its entirety with prejudice for lack of personal jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure (the “Federal Rules”) or, in the alternative, for failure to state a claim upon which relief can be granted pursuant to Federal Rule 12(b)(6); (ii) dismissing Indirect Purchaser Plaintiffs’ Consolidated Class Action Complaint (Dkt. 129) in its entirety with prejudice for lack of personal jurisdiction pursuant to Federal Rule 12(b)(2) or, in the alternative, for failure to state a claim upon which relief can be granted pursuant to Federal Rule 12(b)(6); and (iii) for such other and further relief as the Court deems just and proper. FPC’s motion to dismiss is supported by: (i) its Memorandum of Law in Support of Its Motion to Dismiss, together with any reply in support filed by FPC; (ii) the accompanying Declaration of Sunny Jian, sworn to February 8, 2021; (iii) the accompanying Declaration of Philip Chen, sworn to February 7, 2021; and (iv) Domestic Defendants’ Joint Memorandum in Support of Their Partial Motion to Dismiss the Consolidated Indirect Purchaser Class Action Complaint, filed May 28, 2020, and the exhibits attached thereto (Dkt. 174, 178), and

Domestic Defendants' Joint Reply in Support of Their Joint Partial Motion to Dismiss the Indirect Purchaser Plaintiffs' Consolidated Class Action Complaint, filed August 12, 2020, and the exhibits attached thereto (Dkt. 202).

PLEASE TAKE NOTICE that the motion will be heard before the Honorable Elizabeth A. Wolford at the United States Courthouse, 2 Niagara Square, Buffalo, New York at a time and date and in a courtroom to be determined by the Court.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Local Rule of Civil Procedure 7(a)(1), FPC intends to file and serve reply papers.

Dated: New York, New York
February 8, 2021

Respectfully submitted,

SIDLEY AUSTIN LLP

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